

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 22-MJ- 4036

TYRONE JENKINS,

Defendants.

CRIMINAL COMPLAINT

I, Andrew J. Farnham, the complainant in this case, state that the following is true to the best of my knowledge and belief.

The defendant, on or about March 7, 2022, in the City of Rochester, County of Monroe, Western District of New York, a previously convicted felon, possessed a firearm and ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

This Criminal Complaint is based on these facts:

SEE ATTACHED AFFIDAVIT OF ANDREW J. FARNHAM, SA, ATF

☒ Continued on the attached sheet.


Complainant's signature

ANDREW J. FARNHAM, SA, ATF
Printed name and title

Affidavit submitted electronically by email in .pdf format.
Oath administered, and contents and signature, attested
to me telephonically pursuant to Fed. R. Crim. P. 4.1 and
4 (d) on March 25, 2022.


Judge's signature

HONORABLE MARIAN W. PAYSON
UNITED STATES MAGISTRATE JUDGE
Printed name and title

City and State: Rochester, New York

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v -

22-MJ-4036

TYRONE JENKINS,

Defendant

STATE OF NEW YORK)
COUNTY OF MONROE) SS:
CITY OF ROCHESTER)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Andrew Farnham, being duly sworn, depose and state as follows:

1. Your affiant is a Special Agent (SA) with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), assigned to the New York Field Division, Rochester Field Office. Your affiant is a graduate of the Criminal Investigator Training Program and the ATF National Academy, both located at the Federal Law Enforcement Training Center in Glynco, Georgia. Your affiant has been employed as a Special Agent since February 2019. Prior to being employed as a Special Agent, your affiant was employed as a United States Border Patrol Agent beginning in 2008 in Ogdensburg, New York until February of 2019. In August 2021 your affiant completed the Firearms Interstate Nexus Training Course in Martinsburg, West Virginia. As part of your affiant's professional experience, affiant has participated in state and federal investigations involving the illegal possession of

firearms and narcotics, narcotics trafficking, and other violations of federal and state law.

PURPOSE OF AFFIDAVIT

2. This affidavit is submitted in support of a criminal complaint charging Tyrone Jenkins with a violation of Title 18, United States Code, Section 922(g)(1) (previously convicted felon in possession of firearms).

3. As more fully described below, the facts in this affidavit are based on a combination of my personal participation in this investigation, review of reports involving this investigation, and conversations with other law enforcement officers involved in this investigation. Since this affidavit is being submitted for a limited purpose, I have not included each and every fact that I know concerning this investigation. Rather, I have set forth only those facts that relate to the issue of whether probable cause exists to believe that Jenkins committed the listed offenses.

PROBABLE CAUSE

4. On March 7, 2022, at approximately 1:23 a.m., patrol officers with the Rochester Police Department (RPD), were dispatched to the area of 24 Orange Street in the city of Rochester, New York for a report of shots fired. 911 dispatch further relayed that a vehicle had been struck with gunfire. Upon arriving on Orange Street, two patrol officers encountered a female named Leona Scott hiding around the corner at 10 Orange Street. Scott relayed to Ofc. Costello that an individual named Tyrone Jenkins had shot her vehicle and was now inside his residence at 24 Orange Street.

5. Ofc. Costello also observed an individual identified as Andre Collier standing in the street in front of 24 Orange Street. Collier was directed back to a safe location. Both Scott and Collier were interviewed. In sum and substance, they indicated that it was Collier's birthday and they had stopped over to see Jenkins, who is Collier's cousin. They stated that Jenkins resides at 24 Orange Street with his girlfriend. At some point in the evening, an altercation occurred between Jenkins and Collier, and continued to escalate. Ultimately, as both Scott and Collier were seated in Scott's Lexus vehicle outside the residence, Jenkins exited the residence at 24 Orange Street and began firing at them with a black handgun, striking the vehicle at least five times. Collier explained that Jenkins then retreated inside 24 Orange Street, only to come back outside shortly thereafter, resulting in a physical altercation between Jenkins and Collier. Jenkins then returned inside 24 Orange Street and the police were called.

6. The area around 24 Orange Street was subsequently placed in lock down. Ofc. Costello and Ofc. Couch attempted to contact Jenkins numerous times through loudspeaker and telephonically. He refused to exit. Ultimately, a search warrant was obtained and executed by the RPD Swat Team. At approximately 6:45 a.m., Jenkins was taken into custody inside the residence. When Jenkins was taken into custody, he possessed a black bookbag containing a zip lock bag of suspected marijuana and \$9,010 in cash. Jenkins was thereafter transported to the Eastside Division on North Clinton Avenue. Once the area was safe, officers were also able to confirm five bullet holes in the Lexus, and located 9mm casings in the front yard.

7. After Jenkins was apprehended, a search was conducted at the residence. During the search, officers located several firearms and a large amount of ammunition, as well as a body armor vest. Specifically, officers located:

- (a) In the front living room, one (1) Intratech Tec-9 9mm caliber handgun bearing serial number D004356, loaded with 25 rounds in a 30-round magazine;
- (b) In a closet off the living room, one (1) Areo Precision Model X15 .223 caliber rifle, serial number X010031, loaded with 26 rounds;
- (c) In the same closet, one (1) Bohica M-16 with a defaced serial number; and one (1) Windham Weaponry Model WW-15 rifle, bearing serial number WW259217.
- (d) In a dresser drawer, directly next to the closet where the three rifles were located, officers located a black bag containing six (6) 30 round .223 caliber magazines, four of which were loaded with 22, 23, 21 and 30 rounds of .223 caliber ammunition, respectively.
- (e) In the same dresser, one (1) ten round .223 caliber magazine, two (2) fifty count boxes of Remington 9 mm ammunition, and a 150 count box of .223 caliber ammunition.
- (f) One (1) bullet proof vest, which also held a 30 round .223 caliber magazine with 27 live .223 caliber rounds.
- (g) Identification in the name of Tyrone Jenkins.

(h) A home security system which, among other things, captured the shooting.



PRIOR FELONY CONVICTIONS

8. In connection with this investigation, your affiant has reviewed Jenkins' criminal history, which reflects the following felony convictions:

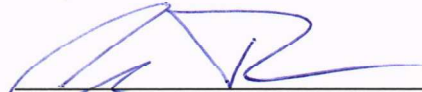
- On August 15, 2002, in Monroe County Court, convicted of Criminal Possession of Controlled Substance 5th Degree, a class D Felony, and sentenced to 1 year.
- On June 3, 2009, in Monroe County Court, convicted of Aggravated Unlicensed Operation 1st: 10/ More suspensions, a class E Felony, and sentenced to 1 years to 3 years concurrent imprisonment.
- On December 9, 2015, in Monroe County Court, convicted of Aggravated Unlicensed Operation 1st: 10/ More suspensions, a class E Felony, and sentenced to Time Served.

INTERSTATE NEXUS

9. Your affiant currently serves as an ATF Interstate Nexus Expert. I have had the opportunity to personally inspect each of the firearms described in ¶ 6 (a)-(c), above. Based on my training and experience, I can state that none of the firearms were manufactured in the state of New York. Accordingly, their presence in Rochester, New York indicates they necessarily traveled in interstate commerce.

CONCLUSION

10. Based on the above information, your affiant submits that probable cause exists to believe that Tyrone Jenkins has violated Title 18, United States Code, Section 922(g)(1) (previously convicted felon in possession of a firearm and ammunition).



ANDREW J. FARNHAM
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Affidavit and Criminal Complaint submitted electronically by e-mail in .pdf format. Oath administered, and contents and signature, attested to me as true and accurate telephonically pursuant to Fed.R.Crim.P. 4.1 and 4(d) on March 25, 2022.



HONORABLE MARIAN W. PAYSON
United States Magistrate Judge